

REMARKS

I. Amendments to the Specification

The Examiner notes the use of the trademark, Lab-on-a-Chip, and states it should be capitalized wherever it appears. The Applicant has herein provided capitalization and the TM symbol to reflect the trademark name in paragraph [0014].

II. Claim Amendments

With this response, claims 14, 15, 17, 24 and 25 are amended. Support for the amendments to claim 14 can be found, *inter alia*, at page 5, lines 22 to 26; page 6, line 20 to page 7, line 4 of the originally filed specification. Support for the amendments to claims 15, 17, 24 and 25 can be found, *inter alia*, at pages 11-14 of the originally filed specification.

II. 35 USC 112

The Examiner contends that claims 14-32 are rejected under 35 USC 112, second paragraph, as being indefinite. The Applicant has herein amended claim 14 to incorporate clear delineation between the "sol-gel" enzyme and the "organism" enzyme, thereby providing definiteness to the claim. Furthermore, claim 14 has been amended to provide proper antecedent basis for all recitations of "enzyme". The Applicant respectfully requests removal of the 112, second paragraph rejection of claim 14 and dependent claims 15-32.

III. 35 USC 103(a)

The Examiner contends that claims 14-32 are rejected under 35 USC 103(a) as being

unpatentable over Keyes (U.S. 4,169,765) in view of Yamagishi *et al.* (U.S. 6,730,212). The Applicant respectfully traverses this rejection for reasons provided below.

As the Examiner states, Keyes teaches a method for the detection of α -amylase produced by an organism using a sensor and Yamagishi *et al.* teaches a sensor comprising a glass substrate. The combination of Keyes and Yamagishi *et al.* do not teach or suggest a method as recited in newly amended claim 14. Keyes and Yamagishi *et al.* do not teach or suggest a method "~~...for the detection of~~ determining an organisms by a sensor, the method comprising assaying a plurality of enzymes with a plurality of sensors to determine a suite of enzymes expressed by the organism, and thus determining said organism;..."

A person skilled in the art looking to Keyes and the disclosure of detecting α -amylase, would not be led to a method for determining an organism by assaying a plurality of enzymes. This is because the detection of an enzyme could be a step in any one of an exhaustive list of applications, wherein the present invention discloses, a ...method comprising assaying a plurality of enzymes with a plurality of sensors to determine a suite of enzymes expressed by the organism, and thus determining said organism;.... α -amylase is one example of an enzyme to be assayed. A list of the plurality of enzymes to assay are disclosed at page 13, line 15 to page 14, line 6 of the originally filed specification.

IV. Conclusion

The Applicant submits that this response addresses all of the Examiner's rejections and places the application in condition for allowance.

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being mailed with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Respectfully submitted,



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Signature

6/29/07

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